



TOWN OF SOUTHERN SHORES

5375 N Virginia Dare Trl, Southern Shores, NC 27949

(252) 261-2394 tel (252) 255-0876 fax

www.southernshores-nc.gov

Application No. VA-18-04 Date 4-20-18

Application Fee \$350.00 Receipt No. 745163

VARIANCES APPROVED BY THE BOARD OF ADJUSTMENT RUN WITH THE PROPERTY. THEREFORE, APPLICANTS MUST BE THE PROPERTY OWNER, OR A DESIGNATED REPRESENTATIVE OF THE PROPERTY OWNER. REFERENCE TO YOU OR THE APPLICANT IN THIS APPLICATION INCLUDES THE PROPERTY OWNER IF THE APPLICANT IS NOT THE PROPERTY OWNER. NOTARIZED SIGNATURES OF ALL APPLICANTS ARE REQUIRED ON THE LAST PAGE. ADDITIONAL PAGES MAY BE ATTACHED TO ANSWER ANY QUESTIONS IN THIS APPLICATION OR TO PROVIDE ANY SUPPLEMENTAL INFORMATION.

1. Applicant Name HOUSE ENGINEERING, P.C.

Mailing Address PO BOX 466

City LETTY HAWK State NC Zip Code 27949

Telephone (252) 261-8253

2. Property Owner Name (If different from Applicant) RICHARD M WHITE

Mailing Address PO BOX 1673

City ELIZABETH CITY State NC Zip Code 27906

Telephone (252) 202-5226

3. Property for which variance is requested:

Street Address 85A OCEAN BLVD

Tax Parcel Identification Number 031204000

Subdivision Name N/A Block# _____ Lot# _____

Zoning District Classification RS-1

4. List specific Zoning Ordinance Section(s) and subsection(s) from which a variance is requested.

SECTION: 20-202, D, DIMENSIONAL REQUIREMENTS
FOR THE RS-1 SINGLE FAMILY RES. DISTRICT.

5. For each Section/subsection listed above, describe with specificity how it applies to the property without the requested variance and how you propose it should be varied by providing the type, dimension, amount and location of the variance requested. Attach a scale drawing

using a current survey of the proposed placement of the structure for which the variance is being requested.

THE PROPERTY IS 50' WIDE WITH 15' SIDE YARD SETBACKS. THE APPLICANT AND OWNER PROPOSE REDUCING THE SIDE YARD SETBACK TO 10' TO ALLOW FOR A 30' WIDE HOME.

6. Is this variance request the result of a Notice of Violation issued by the Southern Shores Planning and Code Enforcement Department? Yes ___ No ☒ If yes, attach copy of Notice.
7. Explain how the variance request meets the approval criteria for the granting of a variance as set forth by the Town of Southern Shores Code of Ordinances by answering the following questions. Note that personal inconvenience or financial burden standing alone will not be considered as evidence in determining unnecessary hardship. Unnecessary hardship must be attributable to a unique or peculiar physical condition of the property that is not shared by other properties and has not been created by the actions of the applicant.

Describe the unnecessary hardship created on the property by the strict enforcement of the Zoning Ordinance.

THE PROPERTY IS CURRENTLY 50' WIDE WITH 15' YARD SIDE SETBACK. THE CURRENT AVAILABLE WIDTH TO CONSTRUCT IS 20'. ACCORDING TO STAFF AT TOWN OF SO. SHORES, NO 20' WIDE HOMES EXIST IN THE TOWN OF SO. SHORES.

Explain how the property can be used if the variance is not granted.

A 20' WIDE HOME COULD BE CONSTRUCTED WHICH IS NOT CONSISTENT WITH THE ADJACENT HOMES.

Explain how the property can be used if the variance is granted.

A 30' WIDE HOME COULD BE CONSTRUCTED. THIS WOULD BE ^{MORE} CONSISTENT WITH ADJACENT PROPERTIES, AND WOULD ALLOW FOR SAFER EGRESS FROM THE DWELLING.

Explain how the unnecessary hardship is not the result of your own actions.

THE PROPERTY IS 50' WIDE AND WAS PLATTED TO THE FIRST TOWN ORDINANCE.

Describe the conditions that are peculiar to the property, such as location, size, or topography which causes the unnecessary hardship.

AS NOTED BY STAFF AT TOWN OF SOUTHERN SHORES,
THERE ARE FEWER THAN TEN 50' WIDE LOTS
WITHIN THE TOWN. THERE ARE NO 20' WIDE
HOUSES WITHIN THE TOWN. MOST OF THE 50' WIDE LOTS ARE UNIMPROVED

Explain how the requested variance is consistent with the spirit, purpose, and intent of the Town's Zoning Ordinance (Town Code Chapter 36) such that public safety is secured, and substantial justice is achieved.

AS NOTED, A 20' WIDE HOME WOULD NOT BE
CONSISTENT WITH THE ADJACENT HOMES OR ANY
HOME WITHIN THE TOWN. ALSO THE EXTRA WIDTH
WILL ALLOW FOR BETTER EGRESS IN THE CASE OF
EMERGENCY.

Will the variance, if granted, allow an increase or extension of an existing nonconforming use on the property?

NO

Will the variance, if granted, allow a use otherwise prohibited in the zoning district containing the property?

NO

8. List the names and addresses of all abutting property owners and the owners of property immediately across the street from the property affected. The list shall be current according to the most recent tax listing abstract as filed in the office of the Dare County Tax Supervisor.

ADJ - RICHARD WHITE (85 OCEAN BLVD)
ADJ - BEACH RENTALS III LLC (87 OCEAN BLVD)
BEHIND - CHICKAHAWK PROP OWNERS ASSOC. INC (O TRINITE TRL-BEHIND)
ACROSS ST. - SOUTHERN SHORES CIVIC ASSOC INC (84 A OCEAN BLVD)

9. Are any attachments being submitted with this application? Yes ☒ No ☐ If yes, please identify attachments and number of pages. _____

(1) SURVEY

(2) DARE COUNTY MAP

FILING OF APPLICATION

Variance applications are filed with the Town of Southern Shores Planning and Code Enforcement Department at Town Hall located at 5375 N. Virginia Dare Trail, Southern Shores, NC. Applications may be filed in person Monday through Friday during normal office hours or may be mailed to the previously listed address. In order for an application to be considered complete all questions and information requested in the application must be answered and provided. Applications must have original notarized signatures of the applicant and must be accompanied by the required application fee. Applications found to be incomplete will not be accepted and will be returned to the applicant.

SCHEDULING OF APPLICATION

Applications submitted will be placed on the following month's Board agenda. The monthly filing deadline and Board meeting dates for the year are listed on the Town's website at www.southernshores-nc.gov under Planning and Code Enforcement Department or you may receive a copy by contacting the Department at (252) 261-2394.

HEARING OF APPLICATION

The Planning Board serves as the Board of Adjustment which is a quasi-judicial body governed by the North Carolina General Statutes and Chapter 36, Article XII of the Southern Shores Town Code. Meetings are held in the Pitts Center located at the Town of Southern Shores Municipal Complex. At the meeting, the Board will hear testimony and receive evidence from the applicant, Town Staff and other interested parties. Board members cannot discuss any case with any interested parties or persons prior to the public hearing of the case. Any person who testifies at the hearing must be sworn in and any written or physical evidence presented to the Board will be retained by the Board.

BOARD DECISION

The concurring vote of a four-fifths majority of the board shall be necessary to grant a variance. The Board's decision will be made, reduced to writing, filed, served and subject to appeal in the manner provided by Section 36-368 of the Southern Shores Town Code. Decisions of the Board may be appealed by any aggrieved party to Superior Court within 30 days from the effective date of the Board's decision.

ADDITIONAL INFORMATION

Persons seeking additional information or assistance concerning variance applications should contact the Zoning Administrator at the Planning and Code Enforcement Department at (252) 261-2394.

CERTIFICATION

I certify that the information filed by me in this application is accurate to the best of my knowledge, information, and belief.

Property Owner Signature

Date

STATE OF _____, COUNTY OF _____
On this _____ day of _____, 20_____

_____ personally appeared before me and is known to me to be the person who signed the foregoing instrument and he/she acknowledged that he/she signed the same and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

Signature of Notary Public _____

My Commission expires _____, 20_____

CERTIFICATION BY APPLICANT OTHER THAN PROPERTY OWNER

I JANET ELLIS OF HOUSE ENGINEERING P.C. (your name) file this application on the behalf of RICHARD M. WHITE (property owner name).

I am the CONTRACTOR (ENG) (attorney, contractor, etc.) for the property owner in this matter and file this application with the full knowledge and consent of the property owner. I certify that the information filed by me in this application is accurate to the best of my knowledge, information, and belief.

[Signature]
Signature

4/20/2018
Date

STATE OF NC, COUNTY OF DARE
On this 20 day of APRIL, 20 18

_____ personally appeared before me and is known to me to be the person who signed the foregoing instrument and he/she acknowledged that he/she signed the same and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

Signature of Notary Public [Signature]
My Commission expires 1-31, 20 21



Property Photo

OCEAN BLVD - NC 12

10 m
30 ft

Leaflet

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.



DARE COUNTY
ASSUMES NO LEGAL
RESPONSIBILITY FOR
THE INFORMATION
CONTAINED IN THIS
MAP.

85 Ocean Blvd
Southern Shores, NC 27949
Parcel: 031204000
Pin: 986712857986
Tax District: Southern Shores
Subdivision: Subdivision - None
Lot-Blk-Sect: Lot-blk-sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:

Tax Ownership
Richard M White

Current Tax Value	
Land	54,500
Building	0
Misc	0
Total	54,500

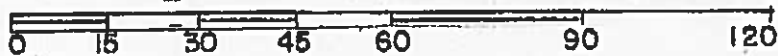
Map Legend
Scale: 1:533
Basemap: Aerials(2012)
Parcel Lines
☒ Property Line
☐ Selected Parcel

RICHARD M. WHITE

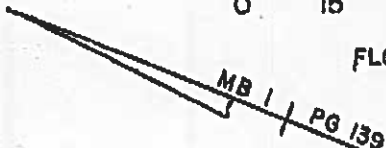
DARE COUNTY, NORTH CAROLINA
KITTY HAWK TOWNSHIP

BEING PARCEL 031204000 LOCATED ON OCEAN BOULEVARD
(NC-12) BETWEEN LOT 1 BLOCK 18 SECTION 1 AND LOT
12 BLOCK 15 SECTION 1 BOTH IN SOUTHERN SHORES AS
SHOWN ON THAT MAP RECORDED IN MAP BOOK 1 PAGE 139.

SCALE 1 INCH = 30 FEET FEB 26, 2018



FLOOD ZONE AE F.I.R.M. 3720986700J 9/20/2006



800' TO CHICHAUK TRAIL

OCEAN BLVD. NO-12 R/W 100'

LEGEND

MBL - MINIMUM BUILDING
LINE.

BLVD - BOULEVARD

R/W - RIGHT OF WAY

BEACH RENTALS III LLC
DB 1883, PG 0369.

R. M. WHITE
DB 1048, PG 0009

N 67° 50' E 150.00'

S 67° 50' W 150.00'

CURRENT 15' MBL
PROPOSED 10' MBL

N 22° 10' W 50.00'

CHICHAUK PROPERTY OWNERS ASSOCIATION

NORTH CAROLINA
DARE COUNTY

I, _____ REVIEW OFFICER
OF DARE COUNTY, CERTIFY THAT THE MAP TO
WHICH THIS CERTIFICATION IS AFFIXED MEETS
ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE

REVIEW OFFICER

I, CHARLES E. BROWN III, CERTIFY
THAT THIS MAP IS OF AN EXISTING
PARCEL OF LAND AND THAT THIS
WAS NOT SURVEYED BY ME THIS DATE BUT IS
DRAWN BY ME FROM INFORMATION IN DEED BOOK
1978, PAGE 206 FOR THE SOLE PURPOSE OF
OF SHOWING THE PROPOSED 12 FOOT SET BACK,
THAT THIS MAP IS DRAWN IN ACCORDANCE WITH
NC GS 47-30 AS AMENDED. WITNESS MY ORIGINAL
SIGNATURE, REGISTRATION NUMBER AND
SEAL THIS 26 DAY OF Feb 2018.

Charles E. Brown III
2005 JOHNSON ROAD ELIZABETH CITY NC